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Justice Aides Back Legality of Trap for Wilson

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WASHINGTON, June 16 — Justice Department officials today defended the legality of the international trap that led to the arrest Tuesday of Edwin P. Wilson, the fugitive former intelligence official.

Mr. Wilson, charged with illegally shipping explosives to Libya and other crimes, was arrested at Kennedy International Airport after he arrived on a flight from the Dominican Republic. He had been detained by Dominican officials, who placed him on the flight to New York without going through normal extradition procedures.

Mr. Wilson was lured out of Libya on a ruse and was shadowed on flights to the Dominican Republic by United States marshals. Dominican officials were alerted that Mr. Wilson was traveling on a bogus Irish passport. They stopped him in the international section of the Santo Domingo airport and held him until he could be put on the flight to New York.

Question of Arrival Ignored
The Justice Department officials observed that the Supreme Court had ruled that while a defendant must receive due process in the United States, the Court would not address the ques-

tion of how the defendant came into the country.

The officials cited a 1932 case, *Frisbie v. Collins*, in which the Supreme Court reaffirmed an 1886 ruling that stated, "The power of a court to try a person for a crime is not impaired by the fact that he had been brought within the court's jurisdiction by reason of a 'forceful abduction.'"

In a brief appearance in Federal District Court in Brooklyn this morning, Mr. Wilson waived his right to a hearing on his removal to the District of Columbia, where he was indicted in 1980. Federal law-enforcement officials, citing security precautions, would not

disclose the timing of Mr. Wilson's transfer or his whereabouts. In the next few days, Mr. Wilson will be arraigned in Federal District Court in Washington, the first step in a legal fight that is likely to touch on sensitive information and raise complicated legal issues.

'A Great Adventure,' Lawyer Says
"We're at the start of a great adventure, if it goes to trial," John A. Keats, a lawyer from Washington representing Mr. Wilson, said in Brooklyn today.

Some Federal officials are concerned that intelligence agencies may make prosecution of Mr. Wilson difficult by attempting to shield information. Many of the items mentioned in the 1980 indictment of Mr. Wilson concern other former American intelligence agents, Frank E. Terpil, a former agent who

was indicted with Mr. Wilson for the Libyan activities, remains a fugitive, apparently in Beirut, Lebanon, according to Federal authorities.

The case may result in the first important test of the Classified Information Procedures Act of 1980, which establishes ways of dealing with defendants who threaten to disclose secret information unless the Justice Department drops the case. Such threats are known in legal circles as "graymail."

Private Hearings Possible

The law requires defense lawyers to notify the court in writing of secret information the defendant wants to use in a trial. If the Government objects to disclosure of some of the information, the court, under the law, can hold a private hearing, in the judge's chambers if necessary, to decide on its admissibility.

To avoid disclosure of sensitive information, the judge may take a number of steps, such as allowing the defense to use summaries or edited versions of secret documents in the trial.

Mr. Wilson has not yet responded formally to the charges against him, but in interviews he has denied wrongdoing.

Mr. Keats said that Mr. Wilson was likely to challenge his bail, which was set at \$20 million Tuesday by a Federal magistrate after prosecutors described the former Central Intelligence Agency employee as "intelligent and resourceful." He originally fled the country while he was under investigation.

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